

NORTHLAND REGIONAL COUNCIL

Minutes of the ordinary meeting of the council
held in the Council Chamber, 36 Water Street, Whangārei,
on Monday 20 March 2017, commencing at 10.30 am

Present:

Chairman, Bill Shepherd
Deputy Chairman, David Sinclair
Councillors:
John Bain
Justin Blaikie
Paul Dimery
Mike Finlayson
Penny Smart
Rick Stolwerk
Joce Yeoman

In Attendance:

Full Meeting

Chief Executive Officer
Governance Support Manager

Part Meeting

NRC Independent Financial Advisor
Northland Inc. Limited Chairman
Northland Inc. Limited Chief Executive
Northland Inc. Limited GM Investment & Infrastructure
Northland Inc. Limited GM Regional Promotions & Tourism
Northland Inc. Limited GM Māori Economic Development
Northland Inc. Limited Corporate Services Manager
FNDC Manager – Business Development
FNDC Independent Consultant Twin Coast Cycle Trail
FNDC Project Manager
GM – Strategy and Governance
GM – Environmental Services
GM – Regulatory Services
GM – Corporate Excellence
GM – Customer Service/Community Resilience
Policy Development Manager
Finance Manager
Financial Accountant
Economist
Regional Harbourmaster
Kaiarahi – Matauranga Māori

The Chairman declared the meeting open at 10.30 am.

Apologies (Item 1.0)

There were no apologies.

Declarations of Conflicts of Interest (Item 2.0)

It was advised that councillors should make declarations item-by-item as the meeting progressed.

Secretarial Note: Item 2.0A was addressed following presentations (Item 3.0)

Confidential Supplementary Item for Council Meeting – 20 March 2017 (Item 2.0A)

ID: A931103

Report from Governance Support Manager, Chris Taylor.

Moved (Shepherd/Smart)

That as permitted under section 46A(7) of the Local Government Official Information and Meetings Act 1987:

- **Confidential Supplementary Item 10.4: MOU with China Railway**

be received.

Carried

Presentations (Item 3.0)

ID: A929943

Report from Governance Support Manager, Chris Taylor.

Moved (Sinclair/Bain)

That the presentations:

- 3.1 Northland Region Economic Profile – 2016 Update by Darryl Jones, Economist;
- 3.2 Provision of a Rubbish Barge in the Bay of Islands by Jim Lyle, Harbourmaster; and
- 3.3 Twin Coast Cycle Trail: Progress to February 2017 by Far North District Council staff members;

be received.

Carried

Provision of a Rubbish Barge in the Bay of Islands (Item 3.2)

ID: A925097

Report from Regional Harbourmaster, Jim Lyle.

Moved (Sinclair/Stolwerk)

That the report 'Provision of a Rubbish Barge in the Bay of Islands' by Jim Lyle, Regional Harbourmaster, and dated 25 January 2017, be received.

Carried

Secretarial Note: Representatives from Far North District Council were in attendance to present Item 3.3, addressing the following key points:

- *Background*
- *Update on land easements and construction*
- *Permanent route for Taumāreke to Ōpua*
- *Promotion of the Cycle Trail*
- *Governance arrangements*
- *Ōkaihau to Hōreke section opening*
- *Official partner programme*
- *Proposed economic impact report (after two years)*
- *Proposed NRC observer on the Trust Board*

Health and Safety Report (Item 4.0)

ID: A927377

Report from Health and Safety Specialist, Tracey Warboys.

Moved (Sinclair/Dimery)

That the 'Health and Safety Report' by Tracey Warboys, Health and Safety Specialist, and dated 7 March 2017, be received.

Carried

Confirmation of Council Minutes – 21 February 2017 (Item 5.1)

ID: A928808

Report from Governance Support Manager, Chris Taylor.

Moved (Stolwerk/Yeoman)

That the minutes of the council meeting held on 21 February 2017 be confirmed as a true and correct record.

Carried

Receipt of Action Sheet (Item 5.2)

ID: A928813

Report from Governance Support Manager, Chris Taylor.

Moved (Stolwerk/Blaikie)

That the council action sheet be received.

Carried

Council Working Party Update (Item 5.3)

ID: A924810

Report from Group Manager – Strategy and Governance, Jonathan Gibbard.

Moved (Blaikie/Sinclair)

That the report 'Council Working Party Update' by Jonathan Gibbard, Group Manager – Strategy and Governance, and dated 13 March 2017, be received.

Carried

Financial Report to 28 February 2017 (Item 6.1)

ID: A927497

Report from Financial Accountant, Vincent McColl.

Moved (Sinclair/Finlayson)

That the 'Financial Report to 28 February 2017' by Vincent McColl, Financial Accountant, and dated 8 March 2017, be received.

Carried

Secretarial Note: NRC's Independent Financial Advisor, Geoff Copstick, provided commentary regarding the work underway to improve council's financial reporting.

Northland Inc. Limited – Six Month Financial Report and Reporting Against Statement of Intent (SOI) for 2016–2019 (Item 6.2)

ID: A926342

Report from Finance Manager, Simon Crabb; and Policy Analyst, Jon Trewin.

Moved (Shepherd/Blaikie)

That the report 'Northland Inc. Limited – Six Month Financial Report and Reporting Against Statement of Intent (SOI) for 2016–2019' by Simon Crabb, Finance Manager; and Jon Trewin, Policy Analyst, and dated 6 March 2017, be received.

Carried

Regional Software Holdings Limited Report to Shareholders for the Six Months to 31 December 2016 (Item 6.3)

ID: A925287

Report from Finance Manager, Simon Crabb.

Moved (Shepherd/Sinclair)

That the report 'Regional Software Holdings Limited Report to Shareholders for the Six Months to 31 December 2016' by Simon Crabb, Finance Manager, and dated 28 February 2017, be received.

Carried

It was further moved (Shepherd/Yeoman)

That NRC Information Services and Technology Manager, Carol Cottam, be acknowledged for her appointment as the Regional Software Holdings Limited Advisory Group Chair.

Carried (by acclamation)

Adoption of Standing Orders (Item 7.1)

ID: A911562

Report from Governance Support Manager, Chris Taylor.

Moved (Finlayson/Yeoman)

1. That the report 'Adoption of Standing Orders' by Chris Taylor, Governance Support Manager, and dated 6 March 2017, be received.
2. That council adopts the new Standing Orders, included in the supporting information pertaining to the 20 March 2017 council agenda.

Carried

Adoption of Code of Conduct (Item 7.2)

ID: A916410

Report from Governance Support Manager, Chris Taylor.

Moved (Yeoman/Bain)

1. That the report 'Adoption of Code of Conduct' by Chris Taylor, Governance Support Manager, and dated 7 March 2017, be received.
2. That the revised Northland Regional Council's Code of Conduct, included in the supporting information pertaining to the 20 March 2017 council agenda, be adopted as the council's new Code of Conduct.

Carried

2019 Electoral System (Item 7.3)

ID: A917753

Report from Governance Support Manager, Chris Taylor.

Moved (Stolwerk/Finlayson)

1. That the report '2019 Electoral System' by Chris Taylor, Governance Support Manager, and dated 22 February 2017, be received.
2. That pursuant to section 27 of the Local Electoral Act 2001, the council resolves to retain the First Past the Post (FPP) electoral system for the 2019 triennial election, and not later than 19 September 2017 give public notice of the right to demand a poll on the electoral system to be used by the council.

Carried

Local Governance Statement (Item 7.4)

ID: A927378

Report from Governance Support Manager, Chris Taylor.

Moved (Yeoman/Finlayson)

1. That the report 'Local Governance Statement' by Chris Taylor, Governance Support Manager, and dated 7 March 2017, be received.
2. That the Northland Regional Council's Local Governance Statement, included in the supporting information pertaining to the 20 March 2017 council agenda, be made publicly available (in accordance with section 40 of the Local Government Act 2002).
3. That council delegates authority to the Group Manager – Strategy and Governance, and the Governance Support Manager, to update the administrative content of the Local Governance Statement on an ongoing basis to ensure the Statement remains current.

Carried

Adoption of Communications Protocol (Item 7.5)

ID: A927210

Report from Communications Manager, Suzanne Takiwa.

Moved (Yeoman/Blaikie)

1. That the report 'Adoption of Communications Protocol' by Suzanne Takiwa, Communications Manager, and dated 6 March 2017, be received.
2. That council adopts the Communications Protocol, included in the supporting information pertaining to the 20 March 2017 council agenda.

Carried

Northland Sailor of the Year 2017 (Item 7.6)

ID: A929362

Report from Regional Harbourmaster, Jim Lyle; and Governance Support Manager, Chris Taylor.

Moved (Stolwerk/Sinclair)

1. That the report 'Northland Sailor of the Year 2017' by Jim Lyle, Regional Harbourmaster, and Chris Taylor, Governance Support Manager, and dated 9 March 2017, be received.
2. That council retrospectively approves the selection panel's recommendation that the R Tucker Thomson Trust be awarded the Northland Sailor of the Year Trophy for 2017.

Carried

Wairua Catchment NRC Collaboration with DOC/Fonterra: Living Waters Partnership (LWP) in Delivery of Farm Plans and Associated Funding (Item 7.7)

ID: A927504

Report from Land Manager – Environmental Services, Duncan Kervell.

Secretarial Note: The Chairman advised that although he resided in the Wairua Catchment his farm was not involved in the programme, hence did not have a conflict of interest.

Moved (Bain/Finlayson)

1. That the report 'Wairua Catchment NRC Collaboration with DOC/Fonterra: Living Waters Partnership (LWP) in Delivery of Farm Plans and Associated Funding' by Duncan Kervell, Land Manager – Environmental Services, and dated 7 March 2017, be received.
2. That council supports Northland Regional Council becoming a partner to the Living Water Project and delegates to the Chief Executive Officer to negotiate and sign an agreement with LWP.

Carried

2017 Local Government New Zealand Conference (Item 7.8)

ID: A929626

Report from Chairman, Bill Shepherd.

Moved (Shepherd/Stolwerk)

1. That the report '2017 Local Government New Zealand Conference' by Bill Shepherd, Council Chairman, dated 9 March 2016, be received.
2. That the Chairman, Deputy Chairman, Chief Executive and Councillors Dimery, Smart, Stolwerk and Yeoman represent the Northland Regional Council at the 2017 LGNZ Conference.

Carried

Rural Broadband Initiative 2 and Mobile Black Spot – Invitation to Co-fund and/or Assist (Item 7.9)

ID: A927988

Report from Economist, Darryl Jones.

Moved (Sinclair/Blaikie)

1. That the report 'Rural Broadband Initiative 2 and Mobile Black Spot – Invitation to Co-fund and/or Assist' by Darryl Jones, Economist, and dated 9 March 2017, be received.
2. That council agree that co-funding is offered in principle to Crown Fibre Holdings Limited (CFHL) in response to their invitation to co-fund and/or assist in the RBI2 and MBS programme.
3. That council delegate authority to the Chief Executive Officer to determine the appropriate quantum of money, if any, from within existing budget allocations to provide as grant funding post the awarding of the CFHL contracts associated with the RBI2 and MBS programme.
4. That the Chief Executive Officer write to the three Northland district councils encouraging them to also respond positively to CFHL's invitation to co-fund.

Carried

Contributing to the Legal Costs of GMO Court of Appeal Defence (Item 7.10)

ID: A926138

Report from Chief Executive Officer, Malcolm Nicolson.

Secretarial Note: Councillor Finlayson advised that he had remained open to all information received on the matter; hence did not have a conflict of interest. Chairman Shepherd advised he had not been involved with Federated Farmers since 1993; hence did not have a conflict of interest.

Moved (Stolwerk/Blaikie)

1. That the report 'Contributing to the Legal Costs of GMO Court of Appeal Defence' by Malcolm Nicolson, Chief Executive Officer, and dated 8 March 2017, be received.

Carried

It was further moved (Blaikie/Sinclair)

2. That council decline the request from the convener of the Inter Council Working Party on Genetically Modified Organisms to contribute \$10,000, or any lessor amount, to the Whangarei District Council's legal costs of defending the position in the Court of Appeal that the regional council has the power to regulate the use of Genetically Modified Organisms.

Secretarial Note: the Chairperson in putting the motion called for an expression of opinion by show of hands.

Carried

(Councillors Dimery, Bain, Sinclair, Stolwerk and Shepherd voted in favour. Councillors Smart, Yeoman, Finlayson and Blaikie voted against)

**Regional Transport Committee Members and Alternate Members
(Item 7.11)**

ID: A927661

Report from Transport Manager, Chris Powell; and Governance Support Manager, Chris Taylor.

Moved (Bain/Dimery)

1. That the report 'Regional Transport Committee Members and Alternate Members' by Chris Powell, Transport Manager; and Chris Taylor, Governance Support Manager, and dated 14 March 2017, be received.
2. That council confirms the following members to the Regional Transport Committee:

Councillor John Bain (Chair) – Northland Regional Council;
Councillor Paul Dimery (Deputy Chair) – Northland Regional Council;
Councillor Ann Court – Far North District Council;
Councillor Greg Martin – Whangarei District Council;
Councillor Julie Geange – Kaipara District Council; and
Mr Ernst Zöllner – Regional Director Auckland and Northland NZ Transport Agency.

And the following alternate members to the Regional Transport Committee:

Councillor Joce Yeoman – Northland Regional Council
Councillor John Vujcich – Far North District Council;
Councillor Phil Halse – Whangarei District Council;
Mayor Greg Gent – Kaipara District Council; and
Mr Brett Gliddon – Highway Manager Auckland and Northland NZ Transport Agency.

Carried

Re-establishment of TTMAC (Item 7.12)

ID: A927989

Report from Kaiarahi Mātauranga Māori, Rachel Ropiha; and Group Manager – Strategy and Governance, Jonathan Gibbard.

Moved (Bain/Yeoman)

1. That the report 'Re-establishment of TTMAC' by Rachel Ropiha, Kaiarahi Mātauranga Māori; and Jonathon Gibbard, Group Manager – Strategy and Governance, and dated 7 March, be received.
2. That council resolve to re-establish TTMAC as a council working party for the 2016/19 triennium.
3. That council appoint councillors Blaikie, Dimery, Finlayson, Shepherd, Smart and Yeoman to the TTMAC working party.
4. That council approve the provision for a co-chair within the governance structure for TTMAC.
5. That council appoint Councillor Dimery as council's representative to co-chair TTMAC.
6. That council seek a nomination from TTMAC for a non-elected member as the associate co-chair.
7. That council confirm the appointment of members Chetham, Hohepa and Tautari of the TTMAC working party onto the council workshops overseeing the development of the new regional plan.
8. That council approve the appointment of one non-elected member from the TTMAC onto each of the following council working parties:
 - Natural Resources Working Party;
 - Marine Management Working Party;
 - Pest Management Working Party; and
 - Planning Working Party.
9. That council seek nominations from TTMAC for one non-elected member to be appointed onto each of the council working parties listed in resolution 8 above.
10. That council seek a recommendation from TTMAC on any amendments to the Terms of Reference for TTMAC, prior to council adoption.
11. That council reconfirms current TTMAC non-elected membership, subject to TTMAC terms of reference review, and that a letter be sent to each nominating iwi or hapu seeking confirmation of their nomination.
12. That council approve the provision of caucusing sessions for TTMAC non-elected members, prior to formal working party meetings.
13. That council reconfirms that adequate staff resourcing will be provided to support the efficient and effective operation of TTMAC.
14. That council approve TTMAC to hold one workshop to provide input into council's economic development review.

Carried

Chairman's Report to Council (Item 8.1)

ID: A927549

Report from Chairman, Bill Shepherd.

Moved (Shepherd/Sinclair)

That the report 'Chairman's Report to Council' by the Chairman, Bill Shepherd, and dated 9 March 2017, be received.

Carried

Chief Executive's Report to Council (Item 8.2)

ID: A924799

Report from PA/Team Administrator – Strategy and Governance, Sally Bowron.

Moved (Shepherd/Sinclair)

That the report 'Chief Executive's Report to Council' and dated 9 March 2017, be received.

Carried

Secretarial Note: The meeting adjourned at 12.45pm and reconvened at 1.15pm.

Receipt of Committee/Subcommittee Minutes (Item 9.0)

ID: A929473

Report from Governance Support Manager, Chris Taylor.

Moved (Bain/Dimery)

That the unconfirmed minutes of the:

- Regional Transport Committee – 8 February 2017; and
- Property Subcommittee – 13 February 2017

be received.

Carried

Business with the Public Excluded (Item 10.0)

ID: A930015

Report from Governance Support Manager, Chris Taylor.

Moved (Shepherd/Sinclair)

1. That the public be excluded from the proceedings of this meeting to consider confidential matters.
2. That the general subject of the matters to be considered whilst the public is excluded, the reasons for passing this resolution in relation to this matter, and the specific grounds under the Local Government Official Information and Meetings Act 1987 for the passing of this resolution, are as follows:

Item No.	Item Issue	Reason\Grounds
10.1	Confirmation of Confidential Minutes of the Council Meeting – 21 February 2017	The reasons for excluding the public are as stated in the minutes of the open section of the meeting.
10.2	Human Resources Report	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect the privacy of natural persons, including that of deceased natural persons 7(2)(a).
10.3	Appointment of Northland Inc. Ltd Directors	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect the privacy of natural persons, including that of deceased natural persons 7(2)(a).
10.4	MOU with China Railway (Supplementary)	The public conduct of the proceedings would be likely to result in disclosure of information, the withholding of which is necessary to protect information where the making available of the information would disclose a trade secret 7(2)(b)(i), and protect information which is subject to an obligation of confidence or which any person has been or could be compelled to provide under the authority of any enactment, where the making available of the information would be likely to prejudice the supply of similar information, or information from the same source, and it is in the public interest that such information should continue to be supplied 7(2)(c)(i).

Carried

CONCLUSION

The meeting concluded at 1.49 pm.